IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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FRIDAY, THE THIRTYIETH DAY OF SEPTEMBER

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE K.C.BHANU

* * *

WP.No.21417 OF 2005

Between:

Bollineni Hanumantha Rao & Ors. …. Petitioners

Versus

Marripalem Primary Agricultural Co-operative

Society, represented by its:

Paid Secretary, Unnava, Yedlapadu Mandal,

Guntur District & Ors. … Respondents

Counsel for the Petitioner: Mr.GHANTA RAMA RAO

Counsel for the Respondent: GP for Co-operation

O R D E R :

This writ petition is filed seeking mandamus to declare the action of the respondents in not including the names of the petitioners in the voters' list though they are eligible and have been members from 2001 onwards and have not incurred any disqualification as arbitrary, illegal and contrary to the provisions of the A.P. Co-operative Societies Act and Rules and the instructions issued from time to time by the fourth respondent and consequently direct the respondents to include the names of the petitioners in the voters' list for Marripalem PACs Unnava, Yedlapadu Mandal, Guntur district.

Heard the learned counsel for the petitioners and the learned Government Pleader for Co-opeartion.

The learned counsel for the petitioners submitted that what were the documents the respondents require the petitioners will produce on or before 03-10-2005.

The learned Govt.Pleader stated that the respondents are ready to take the documents before the election notification and before finalization of the voters' list.

Recording the above statement, without entering into the merits of the case, I deem it

appropriate to direct the petitioners to produce all the documents before the Divisional Co-operative Officer-cum-Election Officer, Marripalem PACS, Unnava, Yedlapadu Mandal, Guntur district and thereafter, the Divisional Co-operative Officer-cum-Election Officer, Marripalem PACs, Unnava, Yedlapadu Mandal, shall act in accordance with law and appropriate decision has to be taken by the Divisional Co-operative Officer on the documents submitted by the petitioners before the election notification is issued; viz., whether to include the names of the petitioners in the voters' list or not in accordance with law.

With the above direction, the writ petition is accordingly disposed of at the admission stage. No costs.

SEPTEMBER 30th, 2005. ----------

I s L. **K C.. B H A N U , J**.

* N.B.

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Operative portion of the order by wire

at party's costs.

B/o. IsL.